

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/590,349 Confirmation No.: 8166
Applicant : Christian MØLLER
Filed : August 23, 2006
Title : METHOD FOR MEASURING MASS FLOW OF A MULTI-
COMPONENT GAS
TC/Art Unit : TBA
Examiner: : TBA

Docket No. : 55320.002081
Customer No. : **21967**

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION DECISION RENEWED
PETITION UNDER 37 CFR

Sir:

Applicants respectfully request reconsideration of the Petition Decision mailed on April 26, 2007. In this decision the PCT Legal Examiner indicated that the application was incomplete based on the apparent failure of Applicant to submit a properly executed declaration by the sole inventor Christian MOLLER. The Petition Decision noted that the Declaration submitted by Applicant on February 12, 2007 was improper since it was apparently signed by someone other than the inventor who is employed by the Assignee company Geopal System A/S. The Petition treated the information filed on February 12, 2007 as a deficient Petition Under 37 CFR 1.47(b).

However, Applicants note that the Petition Decision was in error since in fact the Declaration submitted on February 12, 2007 does in fact contain the signature and is dated by the sole inventor Christian MOLLER. What apparently created confusion was that the inventor, as well as signing the Declaration, also included the name of the Assignee company Geopal System A/S. Therefore, the papers submitted on February 12, 2007 should have been accepted by the Patent Office as they satisfied all the outstanding formalities, i.e., they were dated and included the signature of the only inventor.


As discussed with Daniel Stemmer the PCT Legal Examiner today, in support of the foregoing, Applicants include herewith an Affidavit by the undersigned attesting to the fact that the only inventor did in fact sign the Declaration submitted on February 12, 2007 and that this application is believed to be complete.

Based on the foregoing, Applicants respectfully submit that the Petition Decision is moot and that this application should be transferred to the Technology Group for examination on the merits.. It is believed that no fees are necessary as this response is timely and further since the application was complete on February 12, 2007. . However, in the event that any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: 6/25/07

By: 
Robin L. Teskin
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application No. 10/590,349

Filed: February 22, 2005 (Int. Filing Date)

Art Unit: TBA

Confirmation No. 8166

Title: METHOD FOR MEASURING MASS FLOW OF A MULTI-
COMPONENT GAS

§ 1.132 AFFIDAVIT BY ROBIN L. TESKIN ON BEHALF OF APPLICANT

I, Robin L. Teskin declare and state as follows:

(1) That I am an attorney of record in the above-identified patent application;

(2) That in that capacity I submitted the response to a Notice of Missing Parts on February 12, 2007. This submission included a signed declaration by the inventor, Christian Moller.

(3) That on April 24, 2007 the Patent Office issued a communication finding the Declaration to be defective. The Patent Office concluded incorrectly that this Declaration did not contain the signature of the inventor, Christian Moller. Rather the Patent Office concluded that it was signed by another working at the Assignee of this application Geopal System A/S.

(4) That in fact the Declaration submitted on February, 2007 does contain the signature of the inventor, Christian Moller. That which created the apparent confusion was that this signed Declaration also included the name of the subject Assignee Geopal System A/S.

(5) The fact that this Declaration does in fact contain the signature of Christian Moller was confirmed based on a telephonic conversation I had today with Applicant's European representative who provided the signed documents that were filed with the United States Patent Office on February 12, 2007 along with the response to the Notice of Missing Parts.

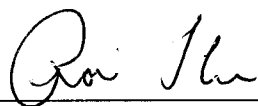
(6) That based thereon, the undersigned respectfully submit that the application was complete as of February 12, 2007.

(7) All statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: 6/25/07

By: 
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Registration No. 35,030

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